

# REQUEST FOR ACTION BY:

TOWN OF CLARENCE, N.Y.

- ☒ Appeal Board  
☐ Planning Board  
☐ Town Board

- ☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Brad Packard

Date July 6, 2012

**Action Desired** Applicant is requesting a 2.5' variance to allow for a 10' side yard setback for the construction an attached garage addition at 5402 Center Pine Lane in the Planned Unit Residential zoning district.

**Reason**

Town Code Reference:

Section 229-52(B)

PLEASE PRINT

**Name** Juliet M. Hurley

**Address** 5402 Center Pine Lane

Williamsville NY 14221

**Town/City** **State** **Zip**  
**Phone** 580-3563

**Signed** SIGNATURE ON FILE

Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

## Initial Action

Approved ☐

Rejected ☐ by ..... on ..... 19 .....

Approved ☐

Rejected ☐ by ..... on ..... 19 .....

Published (Attach Clipping) ..... on ..... 19 .....

Hearing Held by ..... on ..... 19 .....

## Final Action Taken

Approved ☐

Rejected ☐ by ..... on ..... 19 .....

Published (Attach Clipping) ..... on ..... 19 .....

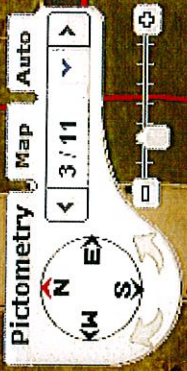
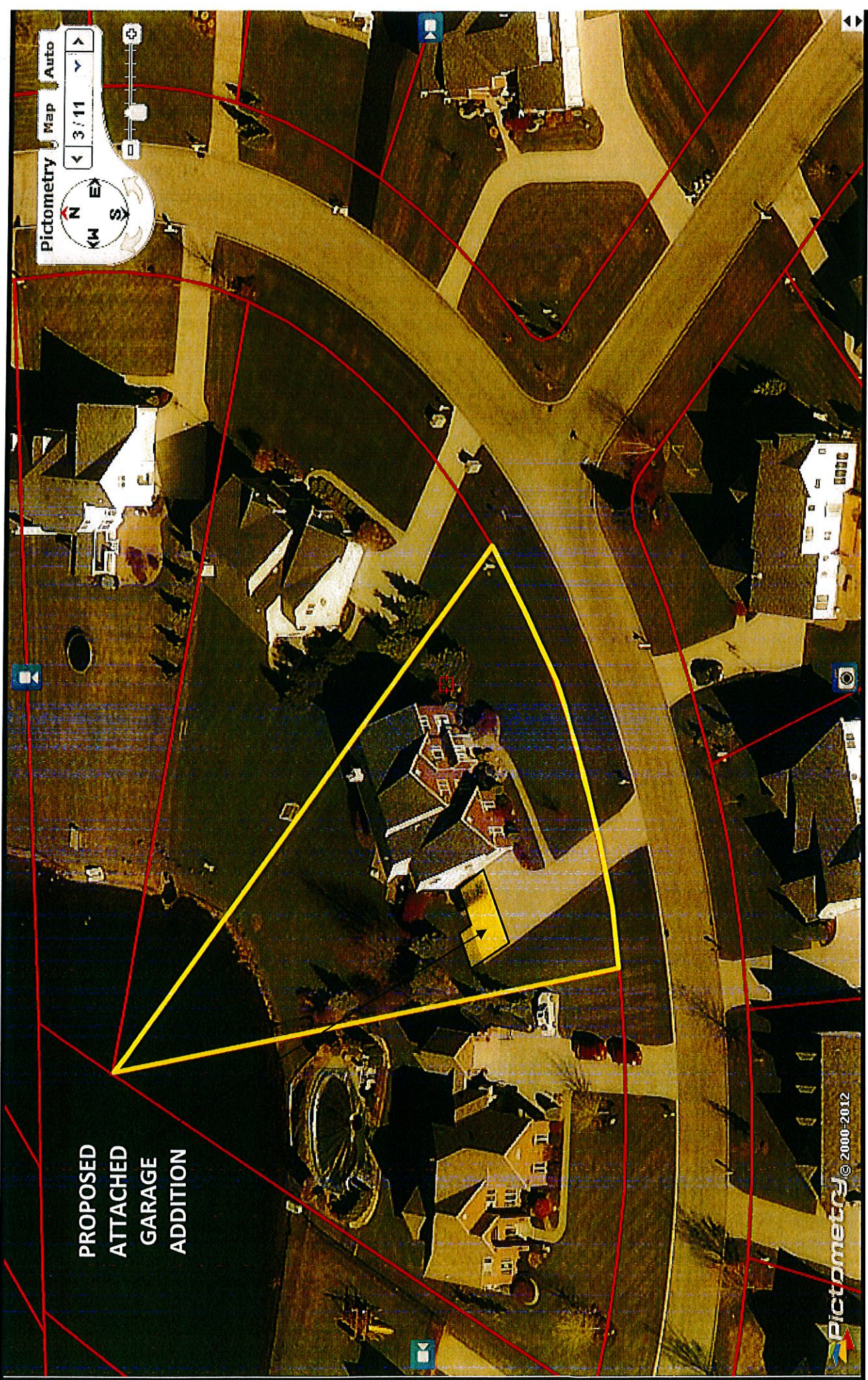
Filed with Town Clerk ..... on ..... 19 .....

Filed with County Clerk ..... on ..... 19 .....

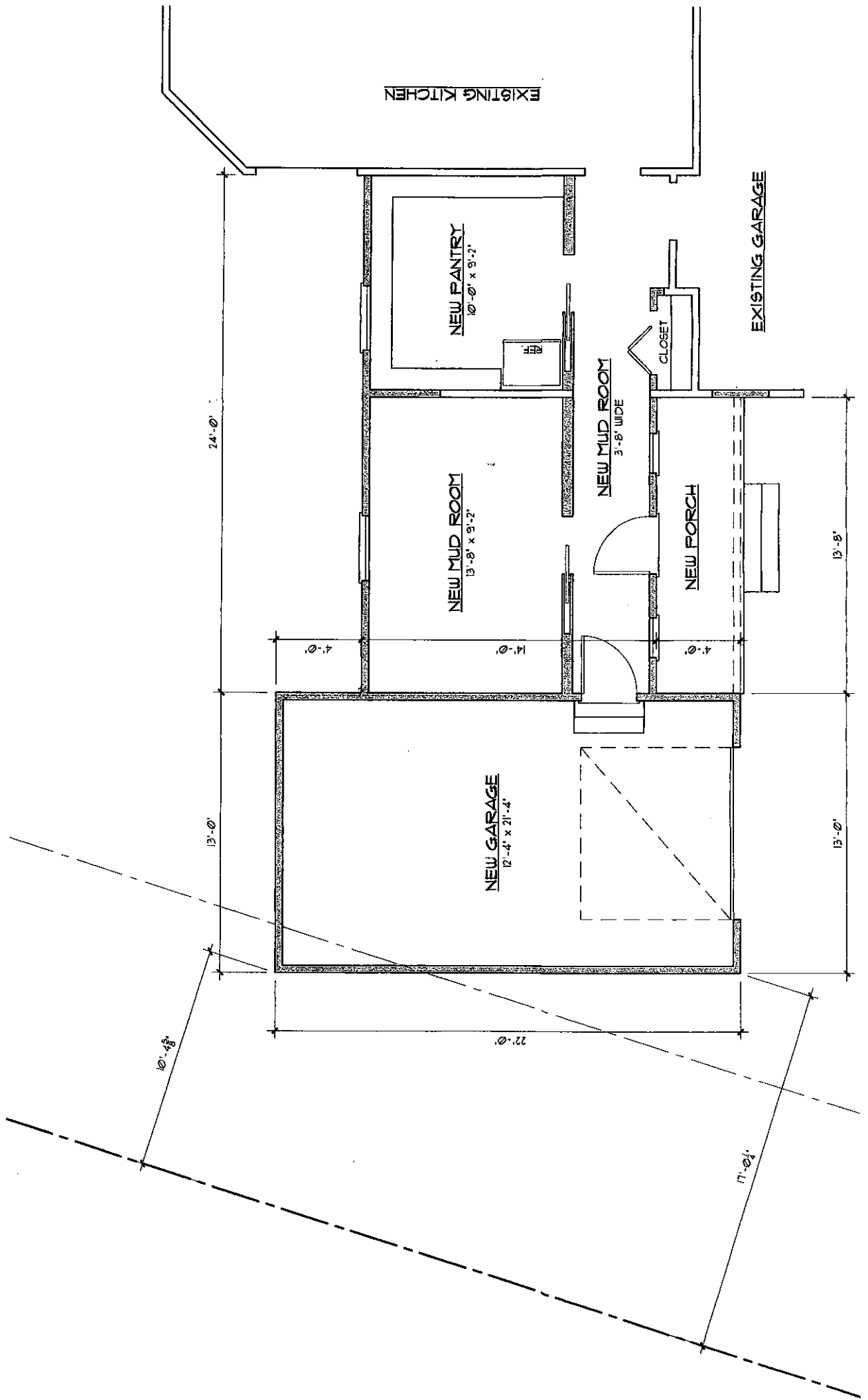


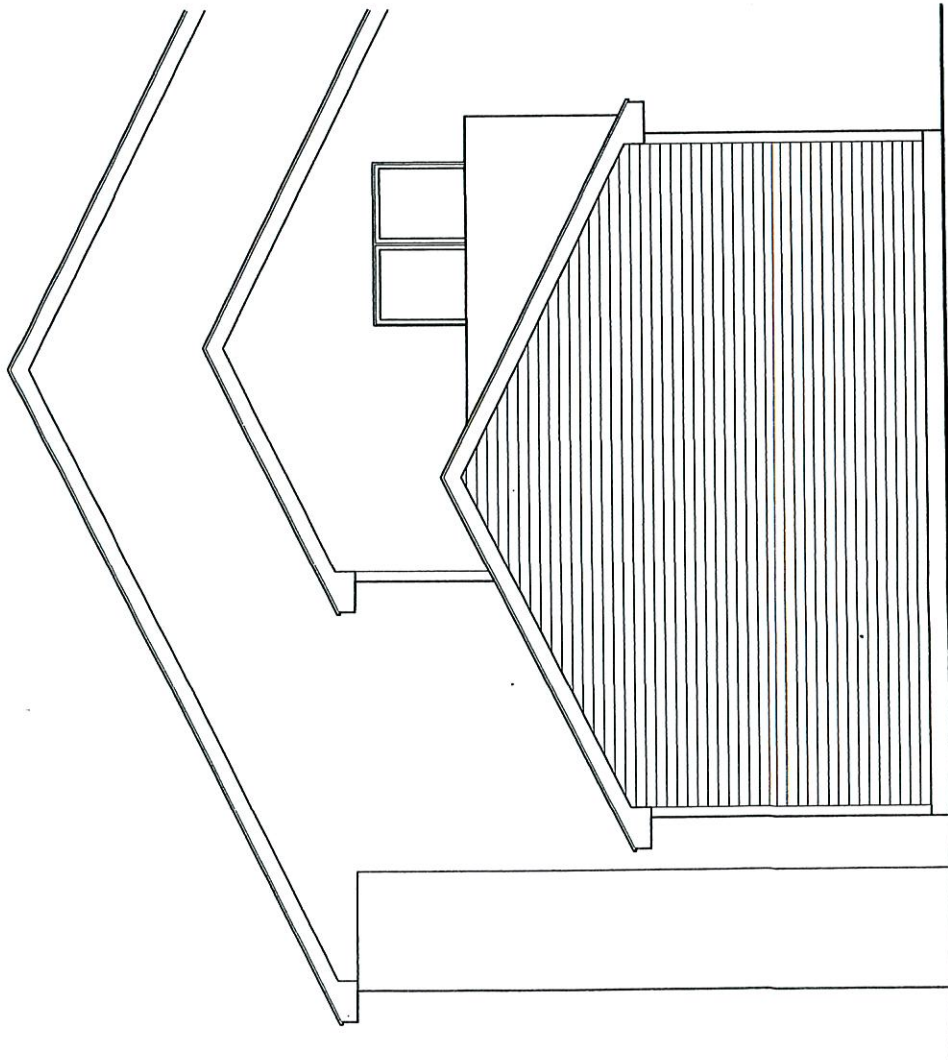


PROPOSED  
ATTACHED  
GARAGE  
ADDITION

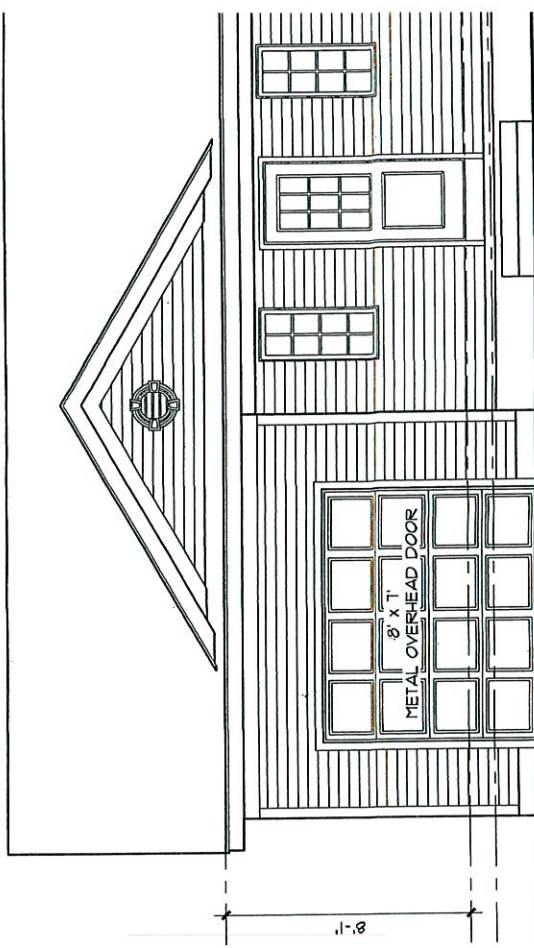




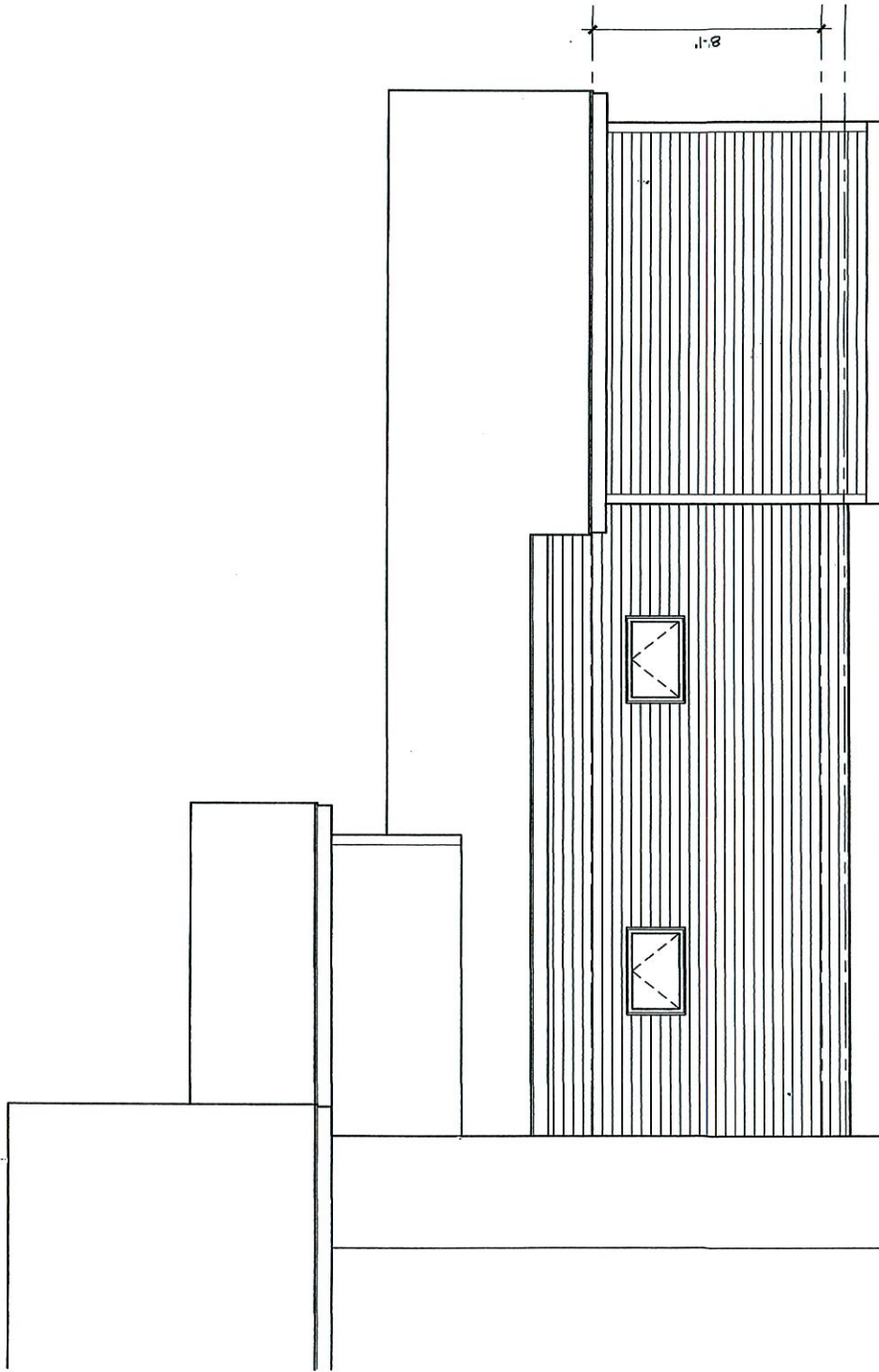




**New Side Elevation**  
Scale: 1/4" = 1'-0"

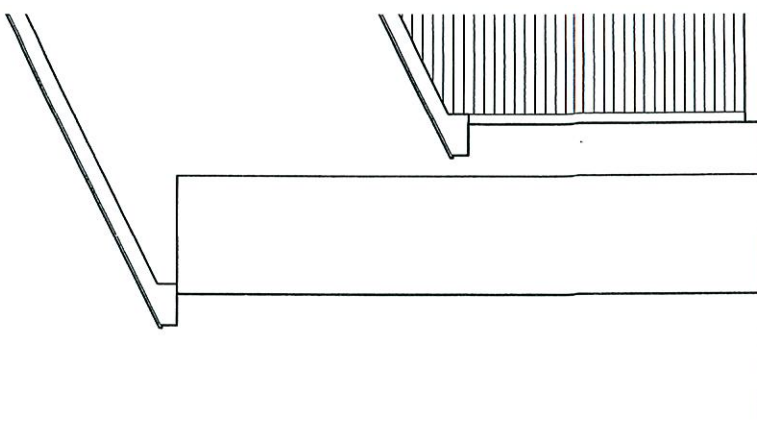


**New Front Elevation**  
Scale: 1/4" = 1'-0"



**New Rear Elevation**

Scale: 1/4" = 1'-0"



**N**  
Scale

**REQUEST FOR  
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☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Brad Packard

Date July 12, 2012

**Action Desired** Applicant is requesting an '11' variance to allow for a 35' front yard setback for the construction an attached garage addition on a corner lot at 5135 Fox Trace in the Residential Single Family zoning district.

**Reason** \_\_\_\_\_

Town Code Reference:

Section 229-52 (A) (1)

**PLEASE PRINT**

**Name** Darla Goodband

**Address** 8995 County Road

Clarence Center NY 14032

**Town/City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_  
**Phone** 908-4360

**Signed** SIGNATURE ON FILE

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Published (Attach Clipping) \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_

Hearing Held by \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_

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Published (Attach Clipping) \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_

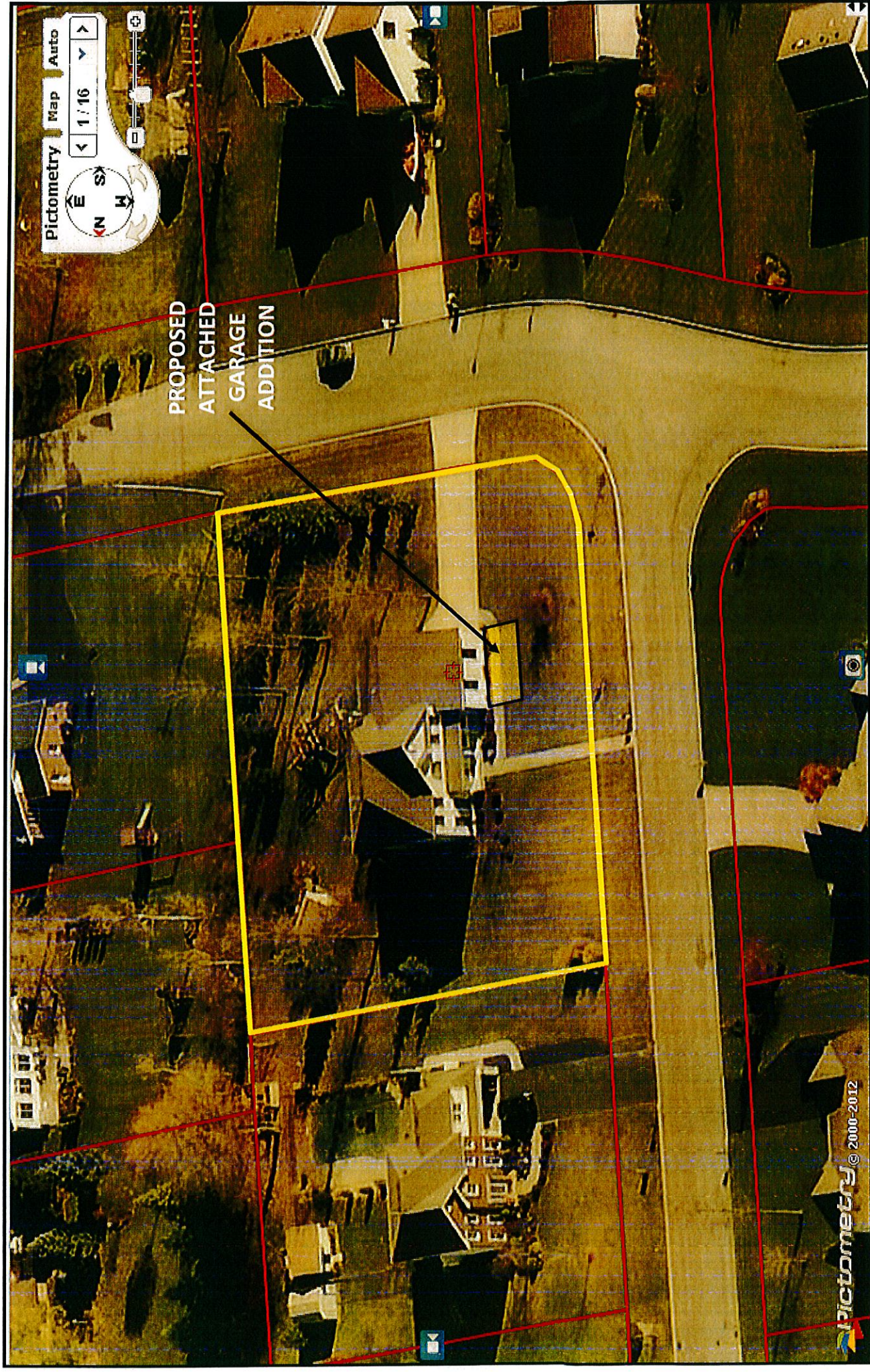
Filed with Town Clerk \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_

Filed with County Clerk \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_









PROPOSED  
ATTACHED  
GARAGE  
ADDITION

Pictometry Map Auto

< 1 / 16 >

Compass: N, S, E, W

Navigation icons: zoom in, zoom out, pan, etc.



# REQUEST FOR ACTION BY:

TOWN OF CLARENCE, N.Y.

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☐ Planning Board  
☐ Town Board

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☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Brad Packard

Date July 17, 2012

**Action Desired** Applicant is requesting a Use Variance to allow for the construction of single family dwellings on existing vacant property in the Industrial Business Park zone along Shisler Road (property is south of 4210 Shisler Road, SBL #83.00-3-28).

Town Code Reference:

Section 229-100(A)

Reason

Please Note the Following Attachments:

1.) Proposed lot surveys

2.) Aerial overlay

PLEASE PRINT

3.) Deed of Transfer for property

Name Cheryl Meyer

SBL #83.00-3-28

Address 90 Willowbrook Drive

4.) Proof of Filing and Legal

Williamsville NY 14221

Description- 4210 Shisler Road

Town/City State Zip  
Phone 316-3686

5.) Preliminary Wetland Investigation

Signed SIGNATURE ON FILE

Requests for action on zoning should be filled out completely in above spaces if practicable, otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

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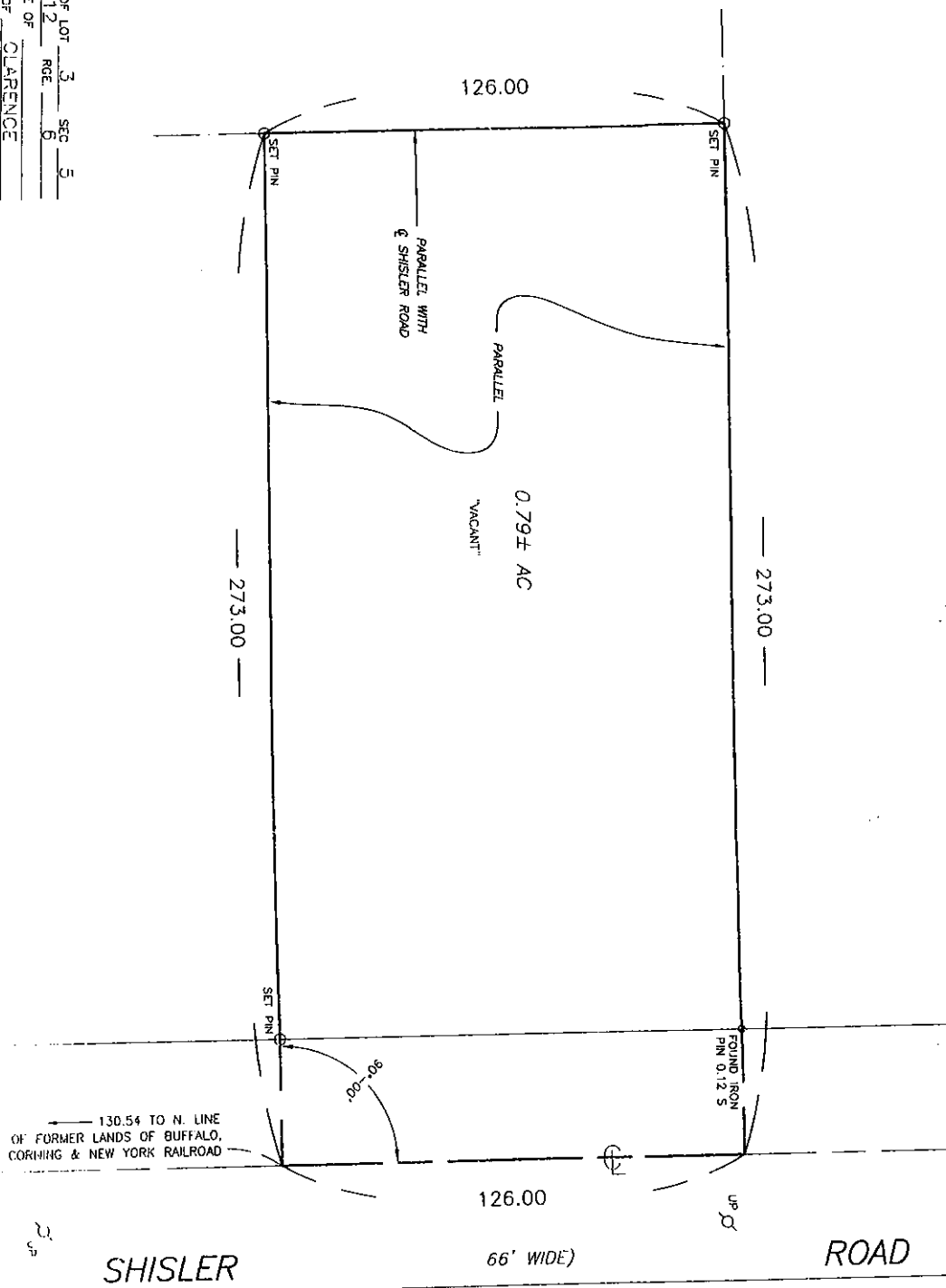
Published (Attach Clipping) ..... on ..... 19 .....

Filed with Town Clerk ..... on ..... 19 .....

Filed with County Clerk ..... on ..... 19 .....



PART OF LOT 3 SEC 5  
 TWP 12 RGE 5  
 VILLAGE OF CLARENCE  
 TOWN OF CLARENCE  
 COUNTY OF ERIE NY

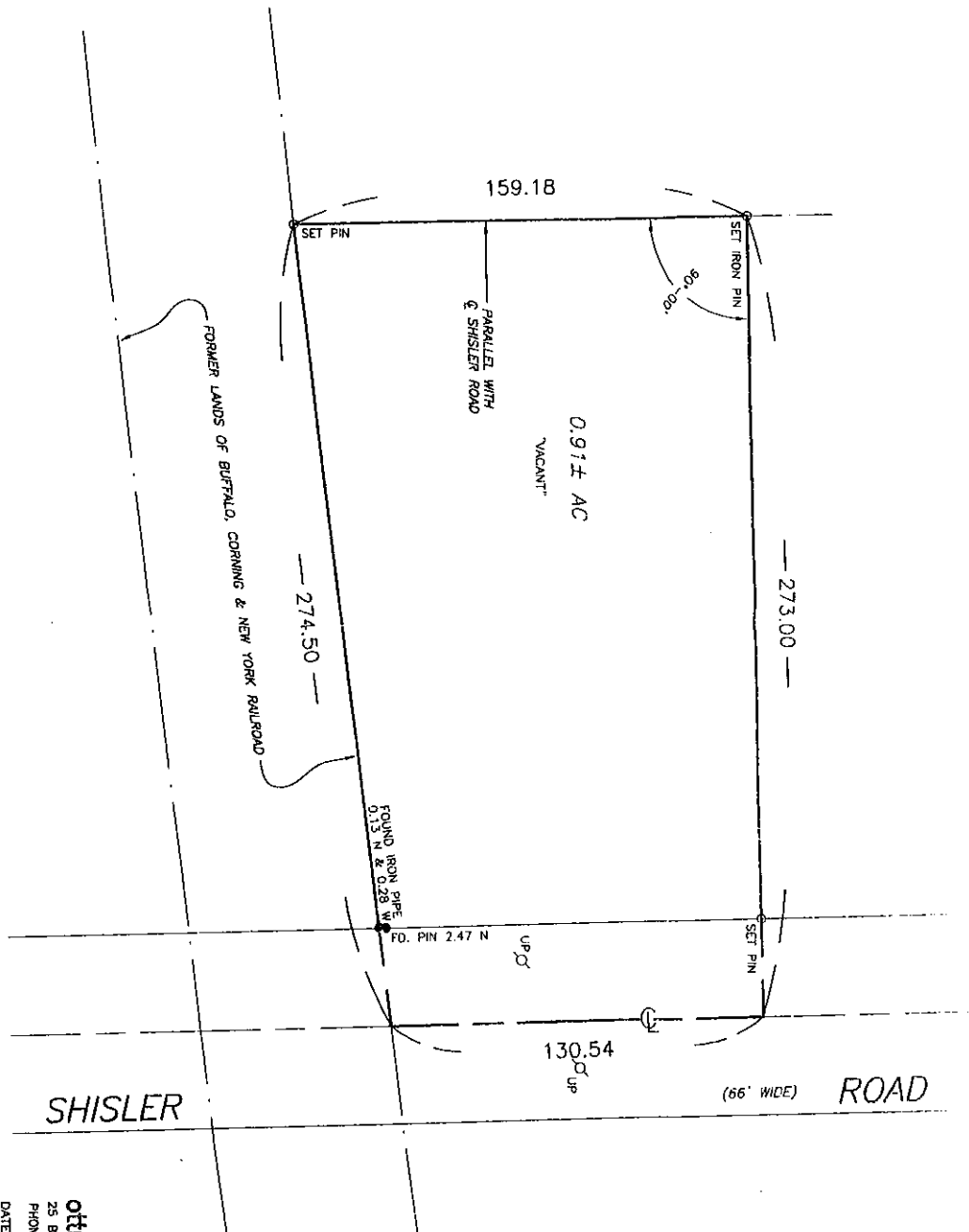


N

SCALE 1"=30'

ottney & miller, L.S.P.C.  
 25 BUFFALO STREET - AGRON, NEW YORK 14001  
 PHONE: (716) 542-5764 FAX: (716) 542-5208  
 DATE 7-6-2010 REV/SED  
 JOB# 10-102

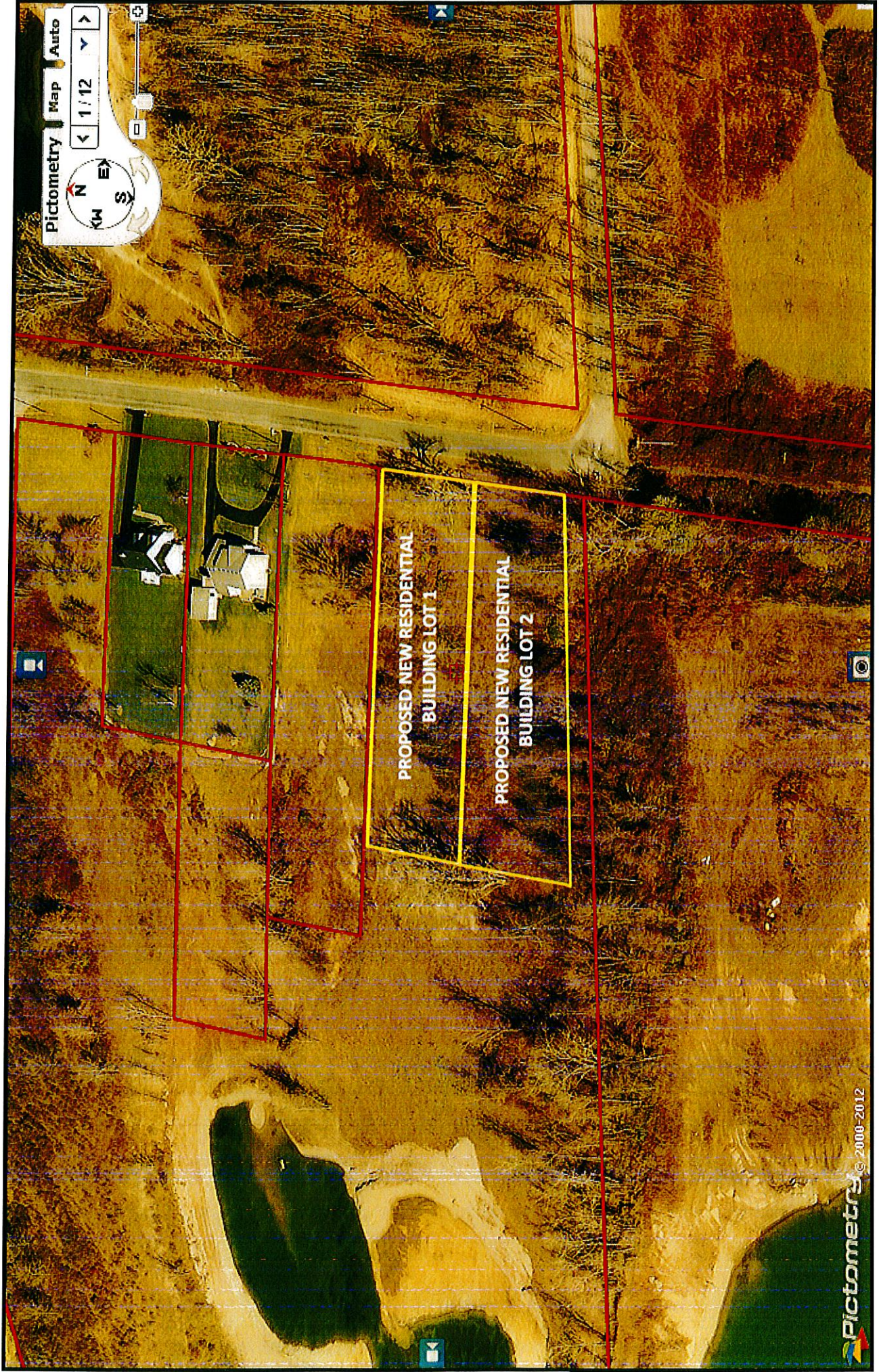
PART OF LOT 3 SEC 5  
 TWP 12 RGE 6  
 VILLAGE OF CLARENCE  
 TOWN OF CLARENCE  
 COUNTY OF ERIE N.Y.



SCALE 1"=40'

ottney & miller, L.S.P.C.  
 25 BUFFALO STREET - AGRON, NEW YORK 14001  
 PHONE: (716) 542-5764 FAX: (716) 542-5208  
 DATE 7-6-2010 REVISED  
 JOB# 10-101





Pictometry Map Auto

1 / 12

N E S W

Map navigation controls including a compass rose showing North (N), East (E), South (S), and West (W), and a zoom slider.



## This Indenture,

Made the 16th day of April, Nineteen Hundred and Eighty-Six

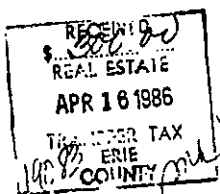
Between Howard L. Meyer, II, 1900 Main Place Tower, Buffalo, N.Y.  
and Albert H. Meyer, 6375 Genesee Street, Lancaster, N.Y., as tenants  
in common and not as joint tenants, (Howard L. Meyer II with a 26.67%  
interest and Albert H. Meyer with a 73.33% interest in the common tenancy), and  
10001 Grand Corp., a New York Corporation with offices at 6375 Genesee Street,  
Lancaster, New York 14086

Grantee(s).

Witnesseth, that the said Grantor(s), in consideration of -----  
One Dollar and other consideration ----- Dollars (\$1.00 & more )  
lawful money of the United States, paid by the Grantee(s), do hereby grant and release unto the Grantee(s),  
its successors and assigns forever.

All that Tract or Parcel of Land,  
situate in the Town of Clarence, County of Erie and State of New York,  
being part of Lots 3 and 5, Township 12, Range 6, described as follows -

BEGINNING at a point in the easterly line of Lot 3 where  
the northerly line of lands owned by Buffalo Corning and New York  
Railroad Company having once been graded and then abandoned and  
never completed crosses easterly line of Lot 3; thence northerly along  
the east line of Lot 3, twelve (12) chains and fifty-eight (58) links  
more or less to the center of a certain highway as laid down on  
county map, thence in a westerly and southerly direction following  
along the center line of said highway to the west line of Lot 5 and  
thence southerly along the west line of Lot 5 to the north bounds  
of said Buffalo Corning and New York Railroad Company lands as above  
stated; thence in an easterly direction along the lands owned by the  
said mentioned Railroad Company to the east bounds of Lot 3 at the  
place of beginning, containing twenty-eight (28) acres of land, more  
or less; excepting that portion of the above described premises  
conveyed by Clara Shisler to Albert H. Meyer, by deed dated January  
23, 1943, and recorded in the Erie County Clerk's Office in Liber  
3348 of Deeds at page 122, on February 1, 1943.



LIBER 9560 PAGE 535

Rec'd by Clerk, 10:25-543 Rm. On  
10:30-528 Deeds KS



201 42

TOGETHER with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee(s).

AND the said Grantor(s) do covenant with said Grantee(s) as follows:

FIRST.—That the Grantee(s) shall quietly enjoy the said premises.

SECOND.—That the Grantor(s) will forever WARRANT the title to said premises.

THIRD.—Subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, The said Grantor(s) have hereunto set their hand and seal the day and year first above written.

IN PRESENCE OF

Albert H. Meyer (L.S.)  
Howard L. Meyer, II (L.S.)

STATE OF NEW YORK ) ss. On this 16th day of April  
COUNTY OF ERIE ) Nineteen Hundred and Eighty-Six

before me, the subscriber(s), personally appeared Albert H. Meyer, 6375 Genesee Street, Lancaster, New York to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

MICHAEL J. GALLAGHER  
NOTARY PUBLIC, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1987

Michael J. Gallagher  
Notary Public

STATE OF NEW YORK ) ss. On this 16th day of April  
COUNTY OF ERIE ) Nineteen Hundred and Eighty-Six

before me, the subscriber(s), personally appeared Howard L. Meyer, II, 1900 Main Place Tower, Buffalo, New York to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

Michael J. Gallagher  
Notary Public

1986 APR 16 PM 2:47

FILED  
ERIE COUNTY  
CLERK'S OFFICE

MICHAEL J. GALLAGHER  
NOTARY PUBLIC, State of New York  
Qualified in Erie County  
My Commission Expires March 30, 1987.

BOX 335 (WJT)  
BIB

Howard L. Meyer, II and  
Albert H. Meyer, as tenants  
in common

237 To

10001 Grand Corp., a  
New York Corporation

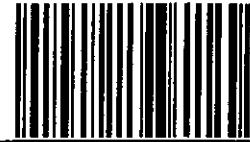
LUER 9560 PAGE 536

DATED April 16, 1986

STATE OF NEW YORK  
ERIE COUNTY CLERK'S OFFICE  
Recorded in Ltr. 9560, Page 535  
of 535  
on the 16th day of April  
A.D., 1986 at 4:17 o'clock P.M.  
and exhibited.

Ernest M. Macdonald  
CLERK

1-11-00-52

**ERIE COUNTY CLERKS OFFICE****County Clerk's Recording Page**Return To:

BOX 406

Party 1:

**MEYER CHERYL V**

Party 2:

**MEYER ALBERT H**

Book: 11139 Page: 3779

Page Count: 3

Doc Type: **DEED-EXEMPT**Rec Date: **01/08/2008**Rec Time: **11:49:15 AM**Control #: **2008005097**User ID: **patti**Trans Num: **467221****DEED SEQ: TT2007011925**

MTG SEQ:

UCC:

SCAR:

INDEX:

**Recording Fees:**

RECORDING	\$26.50
COE COUNTY	1.00
TRANSFER	\$0.00
COE STATE GENERAL	\$14.25
COE STATE RM	\$4.75
RP5217 RES	\$66.00
RP5217 COUNTY FEE	\$9.00
TP584	\$10.00

**Consideration Amount:****\$1.00**

BASIC	\$0.00
SONYMA	\$0.00
ADDL	\$0.00
NFTA MT	\$0.00
TRANSFER	\$0.00
NFTA TT	\$0.00

---

**Total: \$131.50**

STATE OF NEW YORK  
ERIE COUNTY CLERK'S OFFICE

**WARNING - THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT,  
REQUIRED BY SECTIONS 319&316-a (5) OF THE REAL PROPERTY LAW  
OF THE STATE OF NEW YORK. DO NOT DETACH. THIS IS NOT A BILL.**

Kathleen C. Hochul  
County Clerk



**CORRECTING WARRANTY DEED-Legal Description**

Bot 406

**THIS INDENTURE, made this 19th day of December, 2007**

**BETWEEN**

**CHERYL V. MEYER**

**residing at 90 Willowbrook Drive, Williamsville, New York 14221**

party of the first part, and

**ALBERT H. MEYER**

**residing at 90 Willowbrook Drive, Williamsville, New York 14221**

party of the second part,

WITNESSETH, that the said party of the first part, in consideration of ONE AND MORE-----DOLLARS (\$1.00 & more) lawful money of the United States, paid by the party of the second part, does hereby grant release unto the party of the second part, his heirs and assigns forever,

**ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Clarence, County of Erie and State of New York, being part of Lot 3, Section 5, Township 12, Range 6 and described as follows:**

**BEGINNING at a point in the easterly line of Lot 3 which is the center line of Shisler Road distant 426.21 feet southerly from the center line of the former Wehrle Drive; thence southerly along the southerly along the center line of Shisler Road 130 feet to a point; thence westerly at a right angle from the center line of Lot No. 3 and the center line of Shisler Road; thence easterly 400 feet along a line parallel with the east line of Lot No. 3 and the center line of Shisler Road, to the point or place of beginning, containing approximately 1.193 acres of land.**

**Transfer is subject to Declaration of Restrictive Covenants recorded in the Erie County Clerk's Office in Liber 10435 of deeds at Page 544.**

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the above granted premises unto the said party of the second part, and his heirs and assigns forever,

AND said covenant as follows:

FIRST, that the party of the second part shall quietly enjoy the said premises;

SECOND, that said will forever Warrant the title to said premises.

THIRD, that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, the said party of the first part have hereunto set her hand and seal the 19th day of December, 2007.

Recorded to correct  
Property Description

D 11138 L 356 REC 12/4/07  
P5097

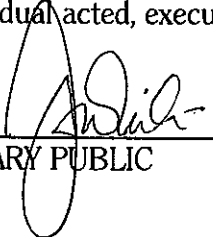
CLA - X  
DID - 2 - 1

IN PRESENCE OF

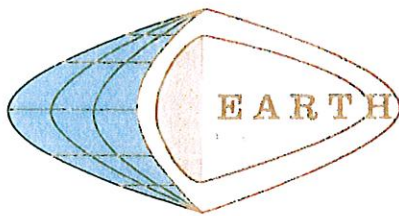
  
CHERYL V. MEYER

STATE OF NEW YORK            )  
COUNTY OF ERIE            ) ss.:

On this 19<sup>th</sup> day of December in the year 2007, before me, the undersigned, a Notary Public in and for the State, personally appeared CHERYL V. MEYER personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within/attached instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person on behalf of which the individual acted, executed the instrument.

  
NOTARY PUBLIC

JUSTIN S. WHITE  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES OCT. 14, 20 10



## EARTH DIMENSIONS, INC.

*Soil and Hydrogeologic Investigations • Wetland Delineations*  
1091 Jamison Road • Elma, NY 14059  
(716) 655-1717 • FAX (716) 655-2915

July 24, 2012

W18G12

Ms. Cheryl Meyer  
90 Willowbrook Drive  
Williamsville, New York 14221

**Re: Preliminary Wetland Investigation – 2.5± acres**  
**4210 Strickler Road**  
**Town of Clarence**  
**Erie County, New York**

Dear Ms. Meyer:

Earth Dimensions, Inc. (EDI) has completed a preliminary wetland investigation at the above referenced site for the purpose of identifying potential regulated wetlands and waterways. The site investigation was conducted on July 24, 2012. EDI did not identify any potential federally regulated wetlands or waterways within the investigation area, as illustrated on the attached Preliminary Wetlands Map.

There are no wetlands under the jurisdiction of the New York State Department of Environmental Conservation (NYSDEC) within or adjacent to the site per the NYSDEC on-line resource mapper. Therefore, NYSDEC has no jurisdiction over any wetlands within the project site.

Based on this site investigation, it is EDI's professional opinion that no state or federally regulated wetlands are present within the investigation area. Further, it is our opinion that construction of a project within this site may move forward without the need for a Section 404 or Article 24 permit.

If you have any questions, please contact our office at (716) 655-1717 or email [slivingstone@earthdimensions.com](mailto:slivingstone@earthdimensions.com).

Very truly yours,  
Earth Dimensions, Inc.

Scott J. Livingstone  
Senior Soil Scientist

Encl.

**RECEIVED**

**JUL 25 2012**

**ZONING OFFICE**





**APPROXIMATE  
WETLAND ACREAGE**

No Wetlands Identified



EDI PROJECT CODE: W18G12

Map Date: 7/24/2012 SJL  
Revised:

Baseline Map Provided by:  
Erie County GIS

Scale: NOT TO SCALE

File Name:

**Preliminary Wetlands Map**

4210 Shisler Road

TOWN OF CLARENCE

ERIE COUNTY, NEW YORK



**EARTH DIMENSIONS, INC.**

\* Soil and Hydrogeologic Investigations  
\* Wetland Delineations

1091 Jamison Road \* Lima, NY 14059  
(716) 655-1717 \* Fax (716) 655-9915